APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/517,364	03/02/2000	B. Scott Fabre	KDO:190230-0001	5185

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EXAMINER
NARAYANASWAMY, SINDYA

ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 12/24/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

Office Action Summary	Application No.	Applicant(s)
	09/517,364	FABRE, B. SCOTT
	Examiner	Art Unit	
	Sindya Narayanaswamy	2154	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-8_ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-8_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

   If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____ .

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
       application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

   a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)   4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5) ☐ Notice of Informal Patent Application (PTO-152)

3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _2_ .   6) ☐ Other: .

DETAILED ACTION

1.   Claims 1 – 8 are presented for examination.

2.   It is noted that although the present application does contain line numbers in the

specification and claims, the line numbers in the claims do not correspond to the preferred

format. The preferred format is to number each line of every claim, with each claim beginning

with line 1. For ease of reference by both the Examiner and Applicant all future correspondence

should include the recommended line numbering.

Claim Rejections - 35 USC § 102

3.   (e) the invention was described in a patent granted on an application for patent by another
filed in the United States before the invention thereof by the applicant for patent, or on an
international application by another who has fulfilled the requirements of paragraphs (1), (2), and
(4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999

(AIPA) do not apply to the examination of this application as the application being examined

was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C.

122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment

by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

1.   Claims 1 - 3 are rejected under 35 U.S.C 102(e) being unpatentable over Miyazaki.

2.   As per claim 1, Miyazaki teaches the step for reducing first copy out times of printed matter, said method comprising the steps of:

(a)   executing a request to print at least a portion of said printed matter (Fig. 4, Start; col. 4, lines 1-16)

(b)   generating a uniqueness identifier specifically associated with said at least a portion of said printed matter (col. 4, lines 23-27);

(c)   comparing said uniqueness identifier to a list of uniqueness identifiers stored in memory (col. 4, lines 18-23);

(d)   printing said at least a portion of said printed matter using data stored in a memory location referenced by said list of uniqueness identifiers if said uniqueness identifier is found in said list of uniqueness identifiers (col. 4, lines 59-65); and

(e)   storing said uniqueness identifier (register character pattern) and a reference to data stored in memory pertaining to said at least a portion of said printed matter in said list of uniqueness identifiers if said uniqueness identifier is not found in said list of uniqueness identifiers (col 4., lines 28-29; Fig. 4, S5).

3.   As per claim 2, it is rejected on the same basis as claim 1.

4.   As per claim 3, Miyazaki teaches that the step of printing a "print portion" printing an entire print job (col. 2, lines 54-57).

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

6.   Claims 4-7 are rejected under 35 U.S.C 103(a).

7.   As per claim 4, Miyazaki does not explicitly teach the step of printing a portion of an

entire print job as the "print portion." However, it would have been obvious to one of ordinary

skill in the art to complete a full print job in portions. One skilled in the art would be motivated

to do so because it reduces the amount of time of printer processing that must be done.

8.   As per claim 5, Miyazaki substantially teaches the method as claimed comprising the

steps of:

        (a)   said step of generating a "print portion" uniqueness identifier specifically

associated with said "print portion" including the step of generating a "print portion" uniqueness

identifier 1-N specifically associated with each "print portion" 1-N of said entire

print job (col. 4, lines 23-27);

(b)   comparing said "print portion" uniqueness identifier 1-N to a list of uniqueness

identifiers stored in memory (col. 4, lines 18-23);

(c)   printing said "print portion" 1-N using previously rendered data stored in a

memory location referenced by said list of uniqueness identifiers if said "print portion"

uniqueness identifier 1-N is found in said list of uniqueness identifiers (col. 4, lines 59-65); and

(d)   storing said "print portion" uniqueness identifier 1-N and a reference to data

stored in memory pertaining to said "print portion" 1-N in said list of uniqueness identifiers if

said "print portion" uniqueness identifier 1-N is not found in said list of uniqueness identifiers

(col. 4, lines 28-29; Fig. 4, S5);

(f)   repeating steps (b)-(d) until said entire print job has been printed.

9.   Miyazaki does not teach the step of determining whether said entire print job has been

printed. However it would have been obvious to one of ordinary skill in the art to modify the

method to include the step of determining whether the entire print job was completed because it

improves quality. One of ordinary skill in the art would have been motivated to do so because it

improves the integrity of the system.

10.   As per claim 6, Miyazaki does not teach the method further comprising the step of

performing an efficiency check. However, it would have been obvious to one ordinary skill in

the art to perform an efficiency check for purposes of insuring quality. One skilled in the art

would have been motivated to do so because it determines whether a pre-determined portion of a

document should be re-rendered or printed using cache data, since in certain instances it may be more efficient to re-render data rather than use cached data.

11.   As per claim 5, it is rejected on the same basis as claim 6.

12.   As per claim 8, it is rejected on the same basis as claims 6 and 7.

Conclusion

13.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:
   a. "Multiple Image Processing System," Hayashi et al., US-5,175,632.

   b. "Patchification System," Hoel et al., US-4,942,541.

14.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sindya Narayanaswamy whose telephone number is (703) 305-8473. The examiner can normally be reached on 8 am to 5 pm, first Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (703) 305-9678. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-5404 for regular communications and (703) 305-5404 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Sindya Narayanaswamy
December 14, 2002

ZARNI MAUNG
PRIMARY EXAMINER